



Entered on Docket
March 08, 2010

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

WILDE & ASSOCIATES

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Wells Fargo Bank, N.A.
09-75816

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

Frankie J. Davis

Debtor

BK-09-24394-lbr

Date: 2/17/10
Time: 10:30am

Chapter 13

ORDER VACATING AUTOMATIC STAY

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to

1 Secured Creditor Wells Fargo Bank, N.A., its assignees and/or successors in interest, of the subject
2 property, generally described as 2113 Barhill Avenue, North Las Vegas, NV 89084, and legally
3 described as follows:

4 Parcel I:

5 Lot 100 of Aliante Parcels 30A and 30B, as shown by map thereof on file in Book 120 of
6 Plats, Page 58, In the Office of the County Recorder of Clark County, Nevada and
7 amended by Certificate of Amendment recorded April 15, 2005 in Book 20050415 as
8 Document No. 0003710 and amended by Certificate of Amendment recorded October 3, 2005
9 In Book 20051003 as Document No. 03814

10 Parcel II:

11 An easement for Ingress and egress over private streets and common areas as shown
12 and delineated on said map.

13 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give
14 Debtor at least seven business days' notice of the time, place and date of sale.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Secured Creditor hereby
16 withdraws its secured Proof of Claim filed in this matter. The Secured Creditor shall notify the Trustee of
17 the completion of the foreclosure sale. If applicable, Secured Creditor may thereafter amend its secured
18 Proof of Claim to an unsecured Proof of Claim no later than forty-five (45) days after the foreclosure sale.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Secured Creditor must record
2 a new Notice of Default prior to proceeding with Foreclosure.

3 DATED this ____ day of _____, 2010.

4 Submitted by:

5 **WILDE & ASSOCIATES**

6 By:  #10235

Gregory L. Wilde, Esq.

7 Attorney for Secured Creditor

208 South Jones Boulevard

8 Las Vegas, Nevada 89107

9 APPROVED / DISAPPROVED

10 By: _____

David Krieger

11 1020 Garces Ave.

Las Vegas, NV 89101

12 Attorney for Debtor(s)

13 Nevada Bar No: _____

14 APPROVED / DISAPPROVED

15 By: _____

16 Kathleen A Leavitt

201 Las Vegas Blvd., So. #200

17 Las Vegas, NV 89101

Chapter 13 Trustee

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In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

- ☐ The court waived the requirements of LR 9021.
- ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.
- ☐ No parties appeared or filed written objections, and the trustee is the movant.
- ☒ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any trustee appointed in this case, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below:

Debtor's counsel:

- ☐ approved the form of this order ☐ disapproved the form of this order
- ☐ waived the right to review the order and/or ☒ failed to respond to the document
- ☐ appeared at the hearing, waived the right to review the order
- ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

Trustee:

- ☐ approved the form of this order ☐ disapproved the form of this order
- ☐ waived the right to review the order and/or ☒ failed to respond to the document

☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below.

Debtor's counsel:

- ☐ approved the form of this order ☐ disapproved the form of this order
- ☐ waived the right to review the order and/or ☐ failed to respond to the document
- ☐ appeared at the hearing, waived the right to review the order
- ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

Trustee:

- ☐ approved the form of this order ☐ disapproved the form of this order
- ☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed written objection.

Submitted by:

/s/ Gregory L. Wilde, Esq.
 Gregory L. Wilde, Esq.
 Attorney for Secured Creditor